

REMARKS/ARGUMENTS

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided. Applicant also notes with appreciation Examiner's acknowledgment of Applicant's Information Disclosure Statement filed in the present application by the return of the initialed and signed PTO-1449 form and the Examiner's acknowledgment of Applicant's claim for priority and receipt of the certified copies of the priority documents in the Official Action. Applicant further gratefully acknowledges the Examiner's indication of the allowability of claims 3, 4, 6 and 7.

Upon entry of the present paper, claims 1-3 and 5-7 will have been amended, claims 10-19 will have been added, with claims 1-19 remaining pending for consideration by the Examiner. Applicant notes that newly-added claims 11-19 generally respectively correspond to claims 1-8 and 10 (as currently presented), and further recite a digital camera having, *inter alia*, a body. Applicant notes that new claims 10 and 19, which recite that a width of said at least one end opening of said each cam groove of one of said first and second plurality of cam grooves is greater than a width of remaining portions of said each cam groove is supported in, *inter alia*, Figs. 80-83 of the present application. In view of the above, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate.

Turning to the merits of the action, the Examiner has rejected claims 1, 5, 8 and 9 under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 6,490,099 B2 to SASAKI, finding that this reference teaches all limitations of these claims.

Applicant respectfully traverses the Examiner's rejection. Applicant submits that

SASAKI, as well as the other references of record, are markedly different from the present claimed invention. Specifically, with respect to independent claim 1 (and newly-added independent claim 11), SASAKI fails to teach or suggest at least the claimed limitations that a first plurality of cam grooves are located at different positions than positions of a second plurality of cam grooves, in both said optical axis direction and a circumferential direction of a cam ring, and that a first plurality of cam followers are located at different positions than positions of said second plurality of cam followers, in both said optical axis direction and a circumferential direction, as claimed in independent claim 1 (and newly-added independent claim 11). Rather, in SASAKI the first plurality of cam grooves (main cam groove 55) is at the same position as the second plurality of cam grooves (sub-cam groove 54) in the circumferential direction (as shown in Fig. 11 of SASAKI), and the first plurality of cam followers (main cam follower 46) is at the same position as the second plurality of cam followers (sub-cam follower 47) in the circumferential direction (as shown in Fig. 10 of SASAKI). Even if the Examiner was to interpret each cam follower part 29 (which includes the main cam follower 46 and sub-cam follower 47) as the claimed first (or second) plurality of cam followers, such an interpretation would result in the first and second plurality of cam followers being at the same position in the optical axis direction. Applicant notes that having the pluralities of cam followers and different positions in both the optical axis and circumferential directions makes it possible to form intersecting cam grooves on the cam ring without interference by a cam follower, as described beginning, *inter alia*, page 331, line 8 of the present application.

It is therefore respectfully submitted that SASAKI, as well as the other references of record, fails to teach or suggest the invention of independent claim 1 (or of newly-added

independent claim 11), as well as the claims dependent therefrom.

With respect to the Examiner's rejection of dependent claims 5, 8 and 9, since these claims are dependent from allowable independent claim 1, which is allowable for at least the reasons discussed supra, these dependent claims are also allowable for at least these reasons. Further, all dependent claims (including newly-added dependent claims 12-19) recite additional features which further define the present invention over the references of record. It is thus respectfully submitted that all rejected claims are patentably distinct from the references of record.

Absent a disclosure in a single reference of each and every element recited in a claim, a prima facie case of anticipation cannot be made under 35 U.S.C. § 102. Since the applied reference fails to disclose each and every element recited in independent claim 1, and the claims dependent therefrom, these claims are not anticipated thereby. Accordingly, the Examiner is respectfully requested to withdraw the rejection under 35 U.S.C. § 102(a).

Thus, Applicant respectfully submits that each and every pending claim of the present application meets the requirements for patentability under 35 U.S.C. §102, and respectfully requests the Examiner to indicate the allowance of each and every pending claim in the present application.

COMMENTS ON STATEMENT OF REASONS FOR THE INDICATION OF  
ALLOWABLE SUBJECT MATTER

In response to the Statement of Reasons for the Indication of Allowable Subject Matter, mailed by the U.S. Patent and Trademark Office on August 24, 2004, along with the above-noted Official Action, Applicant wishes to clarify the record with respect to the basis for patentability of the allowed claims in the present application. In this regard, while Applicant does not disagree with the Examiner's indications that certain identified features are not disclosed by the prior art references, as noted by the Examiner, Applicant further wishes to clarify that each of the independent claims in the present application recites a particular combination of features, and the basis for patentability of each of these claims is further based on the particular totality of the features recited therein. The dependent claims set forth additional basis for their patentability in accordance with their recited limitations as well as in accordance with the particular limitations of the respective base claims.

SUMMARY AND CONCLUSION

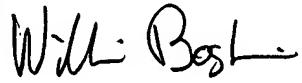
In view of the foregoing, it is submitted that the present paper is in proper form and that none of the references either taken together or taken alone in any proper combination thereof, anticipates or renders obvious Applicant's invention. Accordingly, consideration of the present Response, reconsideration of the outstanding Official Action and allowance of the present application and all of the claims therein are respectfully requested and are now believed to be appropriate.

Applicant notes that this amendment is being made to advance prosecution of the application to allowance, and with respect to the features claimed in independent claim 1 argued as deficient in the prior art, should not be considered as surrendering equivalents of the territory between the claim prior to the present amendment and the amended claim. Further, no acquiescence as to the propriety of the Examiner's rejection is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto. For example, Applicant notes that the amendments to claims 2-3 and 5-7 were made to bring the claim language thereof into closer conformance with that of amended claim 1.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully Submitted,  
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